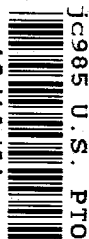


10/12/01



Jc985 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR  
1.53(b))

10/15/01

Attorney Docket No. 1726.7220801 Total Pages 105  
First Inventor or Application Identifier Zerbe, et al.  
Title METHOD AND APPARATUS FOR EVALUATING AND  
OPTIMIZING A SIGNALING SYSTEM  
Express Mail Label No. EL728113845US

Jc971 U.S. PTO

09/976170



10/12/01

A

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application  
contents.

**ADDRESS TO:**

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification Total Pages 70  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawings (35 USC 113) Total Sheets 26
4. Oath or Declaration Total Pages 2
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Microfiche Computer Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ Applicant claims small entity status.  
See 37 CFR 1.27 ☐ Statement filed in Prior Application, Status still proper and desired.
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☒ Request & Certification Under 35 U.S.C. 122(b)(2)(B)(i)
16. ☐ Other

**16. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

Prior Application Information: Examiner

Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4B, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label 25697

or, ☐ Correspondence Address Below

**Ross D. Snyder Associates, Inc.**

**115 Wild Basin Road, Suite 107**

**Austin, Texas 78746**

**Telephone: 512-347-9223**

**Facsimile: 512-347-9224**

Name and Registration Number (Print/Type)	Ross D. Snyder, Reg. No. 37,730		
Signature		Date	12 Oct 2001

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 2,172.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Zerbe, et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	1726.7220801

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number	50-1566
Deposit Account Name	Ross D. Snyder & Associates, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the mailing of the Notice of Allowance

☐ Applicant claims small entity status.

See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

### 2. CLAIMS

Claims	Extra	Fee from below	Fee Paid
Total 88	(-20 =) 68	18.00	1,224.00
Indep. 5	(-3 =) 2	84.00	168.00
Multiple Dep.			

Large Entity Fee Code	Small Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1,392.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*		113	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)					
Other fee (specify)					

\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 40.00

SUBMITTED BY ROSS D. SNYDER & ASSOCIATES, INC.

Complete (if applicable)

Typed or Printed Name

Ross D. Snyder, Reg. No. 37,730

Signature

*Ross D. Snyder*

Date

12 Oct 01

Deposit Account User ID

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zerbe, et al.

Examiner:

Serial No:

Art Group:

Filing Date:

Docket No: 1726.7220801

Title: **METHOD AND APPARTUS FOR EVALUATING AND OPTIMIZING A SIGNALING SYSTEM**

To the Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL728113845US

Name of Depositor: **Ross D. Snyder, Reg. No.  
37730**

Date of Deposit: 12 Oct 2001

(print or type)  
Signature: Ross D. Snyder

I hereby certify that this paper and the items identified below are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. Section 1.10 on the 'Date of Deposit', indicated above, and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Items accompanying this Certificate of Express Mailing:

- ☒ Filing papers for a new patent application, such filing papers include:
- ☒ A specification and drawings for a new patent application;
  - ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
  - ☒ Transmittal cover letter;
  - ☒ Fee Transmittal w/Fee;
  - ☒ Assignment agreement with Recordation Form Cover Sheet;
  - ☒ Combined Declaration and Power of Attorney;
  - ☒ Return upon receipt post card.

059349 1034 0473/650

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Zerbe, et al.
	Title	METHOD AND APPARATUS FOR EVALUATING AND OPTIMIZING A SIGNALING SYSTEM
	Atty Docket Number	1726.7220801

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122 (b).

12 Oct 2001

Date \_\_\_\_\_

Ross T. Snyder

Signature

Ross D. Snyder, Reg. No. 37,730

Typed or Printed Name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published at eighteen months from the earliest claiming filing date for which a benefit is claimed.

If Applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii).**